

Art Unit: 1643

### **DETAILED ACTION**

1. Claims 73, 80, 81, 106-109, 111-112, 115-116 and 121-132 are all the pending claims for this application.
2. Claims 95-97 were cancelled and Claim 80 was amended in the Response of 12/21/11.
3. Withdrawn claims 89-91 are cancelled and Claims 73, 108, 122, 126, 127, 128 and 131 are amended in the facsimile transmittal of 1/27/12 attached hereto.
4. Claims 73, 80, 81, 106-109, 111-112, 115-116 and 121-132 are all the pending claims under examination.

### ***Terminal Disclaimer***

5. The terminal disclaimer filed on 12/14/11 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of USPN 10/578,856 has been reviewed and is accepted in the '856 application on 12/14/11. The terminal disclaimer has been recorded.

### ***Information Disclosure Statement***

6. The IDS of 10/14/11 and 10/14/11 have been considered and entered. The examiner's initialed and signed copies of the 1449 forms are attached.

**Withdrawal of Rejections**

***Claim Rejections - 35 USC § 112, first paragraph***

***Written Description***

7. The rejection of Claims 73, 80, 81, 106-109, 11, 112, 115, 116, 121-124 (and new claims 125-132) under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement is withdrawn.

The supplemental amendment of the claims filed by facsimile transmission on 1/27/12 is found to obviate the rejection.

***Written Description***

8. Claims 73, 107, 108, 112, 115, 116, 121-124, 127, 131 and 132 are rejected under 35 U.S.C. 112, first paragraph is withdrawn.

The supplemental amendment of the claims filed by facsimile transmission on 1/27/12 is found to obviate the rejection.

***Examiner's Amendment***

9. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Bedgood on 1/27/12.

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The application has been amended as follows:

See the attached facsimile transmittal from 1/27/12 which is herein incorporated by reference in full.

### ***Conclusion***

10. Claims 73, 80, 81, 106-109, 111-112, 115-116 and 121-132 are allowed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LYNN BRISTOL whose telephone number is (571)272-6883. The examiner can normally be reached on 8:00-4:30, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms can be reached on 571-272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Lynn Bristol/

Primary Examiner, Art Unit 1643